

Message Text

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PAGE 01 STATE 154052
ORIGIN EB-08

INFO OCT-01 EA-10 ISO-00 TRSE-00 COME-00 ITC-01 CTME-00
STR-07 CIAE-00 INR-10 NSAE-00 L-03 H-01 SSO-00
INRE-00 SS-15 SP-02 NSCE-00 FRB-03 OMB-01 /062 R

DRAFTED BY TREASURY:J LUKE/EB/OT/STA:J S SPIRO:CMS
APPROVED BY EB/OT/STA:J S SPIRO
EA/J - H COCHRAN
EB/OT/STA - C H BLUM

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O 162144Z JUN 78
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO IMMEDIATE

C O N F I D E N T I A L STATE 154052

E.O. 11652: GDS

TAGS: ETRD, JA

SUBJECT: JAPANESE COLOR TV IMPORTS WITH THE U.S. ASSESSMENT
ON PENDING ISSUES

REF: TOKYO 8982

1. IN RESPONSE TO REFTEL WE ARE PROVIDING THE FOLLOWING
FOR EMBASSY INFORMATION. THE CURRENT REBATE INVESTIGATIONS
ARE FOR THE MOST PART DIRECTED AGAINST U.S. IMPORTERS WHO
WERE RESPONSIBLE FOR IMPROPER ENTRIES FOR CUSTOMS PURPOSES.
ACTION AGAINST JAPANESE FIRMS, ALTHOUGH POSSIBLE, WOULD
PROBABLY BE LIMITED TO THOSE WHOSE SUBSIDIARIES WERE
PARTIES TO THE REBATE SCHEME.

2. THE ESTIMATE OF MORE THAN ONE BILLION DOLLARS DUE FOR
REBATE PENALTIES IS EXTREMELY UNREALISTIC. ALTHOUGH
INITIAL PENALTIES ARE ASSESSED AT THE DOMESTIC VALUE OF THE
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MERCHANDISE, FINAL MITIGATED AMOUNTS ARE BASED ON INCRE-
MENTS OF THE LOSS OF REVENUE. IN THE ABSENCE OF EXTREME
AGGRAVATING CIRCUMSTANCES THOSE AMOUNTS ARE A MAXIMUM OF
EIGHT TO TEN TIMES THE LOSS OF REVENUE FOR INTENTIONAL
CASES, AND SMALLER AMOUNTS WHERE A LESSER DEGREE OF
CULPABILITY EXISTS. ANY POSSIBLE CRIMINAL CASES WOULD
APPEAR TO BE DIRECTED TOWARD A FEW COMPANIES AND, BASED ON

PRESENT EVIDENCE, WOULD NOT BE INDUSTRY WIDE.

3. WE UNDERSTAND THAT THERE IS NO CLEAR TIME FRAME FOR TERMINATION OF THE INVESTIGATION. REGARDING TALKS WITH MITI, IT SHOULD BE KEPT IN MIND THAT IT IS ILLEGAL FOR INFORMATION CONCERNING GRAND JURY INTERNAL PROCEDURES, INCLUDING ISSUANCE OF INDICTMENTS, TO BE DIVULGED. CONSEQUENTLY WE ARE UNABLE TO PROVIDE ASSURANCE THAT IT WILL BE POSSIBLE TO GIVE MITI SPECIFIC WARNING OF FACTS IN CASES OF A CRIMINAL NATURE. INsofar AS GENERAL WARNINGS CAN BE PROVIDED WITHOUT VIOLATING LEGAL STANDARDS, WE WILL ENDEAVOR TO DO SO. NEWSOM

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: IMPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE154052
Document Source: CORE
Document Unique ID: 00
Drafter: J LUKE/EB/OT/STA:J S SPIRO:CMS
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780252-0953
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780649/aaaabqbh.tel
Line Count: 75
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f625c486-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 TOKYO 8982
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09 may 2005
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Review Exemptions: n/a
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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2313100
Secure: OPEN
Status: NATIVE
Subject: JAPANESE COLOR TV IMPORTS WITH THE U.S. ASSESSMENT ON PENDING ISSUES
TAGS: ETRD, JA
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